

APPROVED
VIRGINIA BOARD OF LONG –TERM CARE ADMINISTRATORS
GENERAL BOARD MEETING
MINUTES

The Virginia Board of Long-Term Care Administrators convened for a meeting on Tuesday, July 10, 2007 at the Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room #1, Richmond, Virginia.

The following Board members were present:

Ted A. LeNeave, NHA	Mary L. Blunt, NHA
Martha H. Hunt	Kathleen R. Fletcher, MSN
Andrea L. Fricke	Mary Smith, MHA
Bertha Simmons, NHA	Charlotte V. McNulty, PC

The following members were absent:

Melanie Becker

DHP staff present for all or part of the meeting included:

Lisa R. Hahn, Executive Director
Sandra Whitley Ryals, Director
Elaine Yeatts, Senior Policy Analyst
Annie B. Artis, Licensure Operations Manager
Rashaun Minor, Discipline Operations Manager

Representative from the Office of the Attorney General was present for the meeting:

Amy Marschean, Senior Assistant Attorney General

Guests present:

May Fox, L. Clair Ryan, VAL	Randy Linder, NAB
Susan Green, Heatherwood Retirement	Terry Hargrove, Amer. Lung Assoc.
Annie Fellers, VHCA	Vernita Webbes
Irvin Land, VP, C.A.L.	Melissa Boinest, Ginter Hall South
Sarah Nasca, Project Immunize V.A.	Roy Bryant
Tara Shrewsbury, Beaufont Towers	Susan Bess, Williamson's Pharmacy
Susan Haynes, Potomac Place	Beverley Sobel, VHCA
Judy McGreal, DSS	

CALLED TO ORDER

Mr. LeNeave, Chair, called the Board meeting to order at 9:20 a.m.

ORDERING OF AGENDA

The agenda was accepted as ordered, there were no changes made.

PUBLIC COMMENT PERIOD

Sarah Nasca, MPH, DHES, Director of Project Immunize Virginia Coalition addressed the Board during comment period. She and Terry Hargrove appeared on behalf of P.I.V. to inform the board about their organization that is a public and private partnership designed to bring together representatives from the Commonwealth of Virginia to advocate for improved levels of immunization.

APPROVAL OF MINUTES

Upon a motion by Ms. Fricke and seconded by Ms. Blunt the Board voted to accept the minutes of the January 9, 2007 Long-Term Care Administrators board meeting.

The motion passed unanimously.

Upon a motion by Ms. Fricke and seconded by Ms. Smith the Board voted to accept the minutes of the June 4, 2007 Public Hearing regarding Assisted Living Administrators with recommended changes.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. Fricke the Board voted to accept the minutes of the June 4, 2007 Task Force Meeting for Assisted Living Administrators with recommended changes.

The motion passed unanimously.

NEW BUSINESS

Message from Agency Director Sandra Whitley Ryals

Ms. Ryals stated that Governor Kaine suggested that Secretary Tavener send the draft regulations on Assisted Living Administrators back to the Board of Long-Term Care Administrators and suggested that three points be revisited to include the requirement of two examinations; the Administrator-In-Training (AIT) hours and to re-examine the matrix of experience and education. She stated that the Task Force met on June 4, 2007 to receive public comment and develop recommendations regarding the final draft regulations for assisted living administrators. Ms. Ryals stated that the Joint Legislative Regulatory Commission (JLARC) received a briefing on the impact of assisted living administrators. She encouraged the Board to look at the total picture before acting upon

the recommendations and making a final decision. Ms. Ryals encouraged the Board to also recognize the concerns of smaller facilities. She stated she, Governor Kaine and Secretary Tavener greatly appreciated the joint efforts toward this major endeavor.

Re-Adoption of Final Regulations for Assisted Living Administrators

Copy of Letter from Governor Kaine

Mr. LeNeave briefly reviewed the letter written to the Honorable Secretary Tavener from Governor Kaine regarding the proposed regulations for assisted living administrators, reiterating the three key areas to be considered in regard to requiring two exams, limiting the number of administrator-in-training hours and the experience and education that are required.

Recommendations from the Task Force on Assisted Living Administrators

Mr. LeNeave stated that the Task Force met and made recommendations. He stated the level of professionalism and hard work was extraordinary. Public comment was taken in regard to the draft regulations and a tremendous amount of work was put into the process. Mr. LeNeave read the recommendations of the task force and asked that the Board review and discuss them.

Comments Received on Task Force Recommendations

Ms. Hahn stated that 167 responses were received regarding public comment and of those responses, 28 were opposed to the regulations. Public comment was received through July 9, 2007. A summary of all public comment was provided to the Board for review.

Final Draft Regulations for Assisted Living Administrators

Ms. Yeatts and the Board reviewed the final draft regulations governing the practice of assisted living administrators in regard to the education and training requirements for ALA licensure pursuant to Part III – Requirements for Licensure.

Upon a motion made by Ms. Fricke and seconded by Ms. McNulty the Board voted to accept 18VAC95-30-95 Licensure of current administrators as proposed.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. Smith the Board voted to require 30 semester hours from an accredited college or university in any subject with 640 hours in an administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. McNulty the Board voted to require a baccalaureate or masters degree in an unrelated field with 480 hours in an administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. Smith the Board voted to require a baccalaureate or masters in health care related fields with no internship with 320 hours in an administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. McNulty, the Board voted to require a baccalaureate or higher degree unrelated to health care and completion of a certificate program with 21 semester hours in a health care related field in accordance to 18VAC95-30-100B with a 320 hour internship/practicum that addresses the domains of practice in regulations as part of the certificate program.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. McNulty, the Board voted to require a baccalaureate or higher in health care related field with 21 hours in specific coursework with a 320 hour internship/practicum that addresses the domains of practice in regulations.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. Fricke the Board voted to require a minimum of 30 semester hours from college or university in any subject for individuals with full-time employment for 2 out of 4 years as an assistant administrator in a long-term care facility or full time employment for 2 out of 4 years as a hospital administrator with 320 hours in an administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. McNulty the Board voted to accept graduates of LPN programs that hold a current unrestricted LPN license with a 640 hour administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. McNulty the Board voted to accept graduates of LPN programs that hold a current unrestricted LPN license with administrative level supervisory position for 2 out of the 4 years in a long-term care facility with a 480 administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. McNulty the Board voted to accept graduates of RN programs that hold a current unrestricted RN license with a 480 administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Blunt and seconded by Ms. McNulty the Board voted to accept graduates of RN programs who hold a current unrestricted RN license with administrative level supervisory position for 2 out of the 4 years in a long term care facility with a 320 hour administrator-in-training program within 24 months.

The motion passed unanimously.

Upon a motion by Ms. Smith and seconded by Ms. Simmons the Board voted to change “administrator-in-training” to “assisted living facility administrator-in-training” (ALF AIT).

The motion passed unanimously.

Upon a motion by Ms. Smith and seconded by Ms. Blunt the Board voted to remove the wording in 18VAC95-30-100.3 “registered by the board”.

The motion passed unanimously.

Upon a motion made by Ms. McNulty and seconded by Ms. Blunt the Board voted to amend the Licensure by Endorsement Section 18VAC95-30-120 by removing subsection 3 b and amending subsection 4 to reflect that the applicant must successfully pass the national examination not the state examination.

The motion passed unanimously.

Upon a motion made by Ms. McNulty and seconded by Ms. Smith the Board voted to add the requirement to submit the attestation form with the application package to Section 18VAC-95-30-130.

The motion passed unanimously.

Ms. Fricke made a motion to accept regional directors with on-site supervisory responsibility as a preceptor. Ms. Blunt seconded the motion. After discussion, Ms. Fricke amended the motion to accept as a preceptor a regional administrator with on-site supervisory responsibilities for a training facility or facilities. Ms. Blunt seconded the motion.

The members voting 'yes' were Ms. Fletcher, Ms. McNulty, Ms. Smith, Mr. LeNeave, Ms. Fricke, Ms. Blunt.

The members voting 'no' were Ms. Hunt and Ms. Simmons.

The motion passed by majority.

Upon a motion made by Ms. Blunt and seconded by Ms. McNulty the Board voted to approve the final regulations as amended.

The motion passed unanimously.

BREAK

The Board recessed at 10:50 a.m. and reconvened at 11:10 a.m.

Adoption of Fast Track Regulations for Public Participation Guidelines

Ms. Yeatts presented the regulations for the public participation guidelines to the Board.

Upon a motion by Ms. Blunt and seconded by Ms. Smith the Board voted to adopt the fast track regulations for the Public Participation Guidelines.

The motion passed unanimously.

Executive Director's Report

Congratulations to Mr. LeNeave: Ms. Hahn congratulated Mr. and Mrs. LeNeave on the birth of their son, Sevey LeNeave.

Staff Update: Ms. Hahn stated that ShaRon Clanton has been hired as the Administrative Assistant for the Board; she was previously with the Board of Nursing. She further stated that Angel Winfield was hired as a temporary office assistant in January. Rashaun Minor is the Discipline Operations Manager and Annie Artis is the Licensing Operations Manager. Ms. Hahn stated that in addition to the Long-Term Care Administrators, we also have two other Boards, Audiology and Speech-Language Pathology and Physical Therapy.

Licensure and Discipline Statistics: Ms. Hahn reported that there are currently 551 active nursing home administrators; 129 out-of-state NHAs and 190 active preceptors. The disciplinary caseload includes 16 cases at the enforcement level. Ms. Hahn stated that during the first half of 2007, staff met and exceeded the case standards; the standard number of days for probable cause level is 60 days and we completed this level in 26 days; therefore, we reached our goal and achieved 100%. She stated within the last six months, the Board has received 13 cases and closed 12.

Continuing Education Audit: Ms. Hahn advised there was a continuing education audit conducted and 10% of licensees were audited; however, only 41% of licensees have responded to the audit. Staff is currently in the process of sending out a second letter requesting compliance to the audit.

Revenue and Expenditures: Ms. Hahn presented revenue and expenditure summaries for the period ending June 30, 2006; the balance was \$89,443. She stated the year-to-date revenues for FY07 is \$192,470 and the year-to-date expenditures if \$174,627. As of May 31, 2007 the balance was \$107,286.

Board appointments or reappointments: Ms. Hahn stated that, as of date, there have been no board appointments or reappointments.

Brief review on Regulations for Assisted Living Administrators: Ms. Hahn gave a brief overview on the regulations and licensure process for the assisted living administrators. Ms. Hahn stated that draft licensure applications have been prepared; however, they will not be available until the regulations become final. Once the regulations become effective, applicants may begin applying for licensure. Assisted living administrators will have one year to become licensed beginning from the effective date of the regulations. After the applications have been received, the board staff will notify the applicants in writing when they become eligible to take the national examination. The letter of eligibility will include NAB contact information. All testing information will be provided by NAB. There will be testing sites located in Abingdon, Big Stone Gap, Lynchburg, Manassas, Richmond, Roanoke, Vienna, Virginia Beach, Weyers Cave. The examination may be taken Monday through Saturday. For additional information regarding the NAB national examination you may visit their website at www.nabweb.org or call (202) 712-9040.

Educational Meetings: Ms. Hahn reported that Board staff will hold several educational meetings throughout the state explaining the application and examination process. She also stated that some associations have indicated interest in offering a review course prior to sitting for the national examination.

ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 12:15 p.m.

Ted A. LeNeave, NHA, Chair

Lisa R. Hahn, Executive Director

Date

Date